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Mark

BOX AF  
RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE REQUESTED  
PATENT  
38-358P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: Keisuke BAN et al. Conf.: 5452  
Serial No.: 09/852,267 Art Unit: 1725  
Filed: May 10, 2001 Examiner: K. Lin  
For: METHOD OF CASTING AND CASTING MACHINE

TERMINAL DISCLAIMER

Assistant Commissioner for Patents  
Washington, DC 20231

April 21, 2003

Sir:

Nissin Kogyo Co., Ltd. (hereinafter "the Assignee"),

☒ a corporation of JAPAN having a principal place of  
business at 804 Ooaza Kokubu, Ueda-shi, Nagano 386-  
8505, JAPAN,

☐ a university having an address of ,  
represents that it is the true owner of the entire interest of  
U.S. Application Serial No. 09/852,267, filed May 10, 2001, for  
"METHOD OF CASTING AND CASTING MACHINE (hereinafter "above-  
identified application") by virtue of and as evidenced by an  
Assignment recorded in the United States Patent and Trademark  
Office January 21, 2003.

The Assignee hereby disclaims the terminal part of any  
patent granted on the above-identified application which would  
extend beyond the expiration date of any patent which issues from

any of the copending Application Serial Nos. 10/097,483, 10/115,141 and 10/166,743, (hereinafter "copending applications") and hereby agrees that any patent so granted on the above-identified applications shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent which issues from the copending application, this agreement to run with any patent granted on the above-identified applications and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified applications prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent which issues from the copending applications in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignee by the undersigned, an attorney of record in the above-identified application.

Serial No. 09/852,267  
Docket No. 38-358P

Please charge any fees or credit any overpayment pursuant to  
37 C.F.R. §1.20 to Deposit Account No. 02-2448.

Respectfully submitted,  
BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: April 21, 2003

By *James M. Slattery* *Reg No 52,332*  
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**38-375P**  
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